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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,247	01/14/2002	David Lee Garrison	23952-0045	1844
29052 7590 04/05/2007 SUTHERLAND ASBILL & BRENNAN LLP 999 PEACHTREE STREET, N.E. ATLANTA, GA 30309			EXAMINER APPLE, KIRSTEN SACHWITZ	
			ART UNIT 3693	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/05/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/043,247	Applicant(s) GARRISON ET AL.	
	Examiner Kirsten S. Apple	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 46-76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 46-76 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/25/03</u>  | 6) <input type="checkbox"/> Other: _____                          |

## Detailed Action

This action is in response to the application filed on 1/14/02.

### ***Priority***

This application discloses and claims only subject matter disclosed in prior Application No. 08-994,047, filed 12/19/1997 and names an inventor or inventors named in the prior application. Accordingly, this application may constitute a continuation or division. Should applicant desire to obtain the benefit of the filing date of the prior application, attention is directed to 35 U.S.C. 120 and 37 CFR 1.78.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 47-76 are rejected under 35 U.S.C. 102(e) as being anticipated by Embrey US Patent 6,311,170.

**Re claim 46 & 61:** Embrey discloses:

*A method & system, comprising:*

*Receiving a customer account number associated with a payor and a payee*

*(Embrey, Figure 4, item 82)*

*Altering the customer account number to a modified customer account – in accordance with alteration rule (Embrey, Figure 4, item 13)*

*Transmitting the modified consumer account number to the payee (Embrey, Figure 4, item 19)*

**Re claim 47 & 62:** Embrey discloses:

*Includes transmitting payment information to the payee (Embrey, Figure 4, item 19)*

**Re claim 48 & 63:** Embrey discloses:

*>One alteration rule identifies an expected account number format required by the payee (Embrey, Figure 33, item 1615)*

**Re claim 49 & 64:** Embrey discloses:

*>One alteration rule is associated with a plurality of payees (Embrey, Figure 32, 2 payee)*

**Re claim 50 & 65:** Embrey discloses:

*Consumer account number is received as part of a payment record (Embrey, Figure 4, item 18)*

**Re claim 51 & 66:** Embrey discloses:

*Payment record is one of a plurality of payment records received in a batch (Embrey, Figure 4, item 18)*

**Re claim 52 & 67:** Embrey discloses:

Art Unit: 3693

*Altering the consumer account number includes inserting a character string into the consumer account number to create the modified consumer account number (Embrey, column 8, line 43-59)*

**Re claim 53 & 68:** Embrey discloses:

*Inserting the charter string includes inserting charter string at a particular position in the consumer account number (Embrey, column 8, line 43-59)*

**Re claim 54 & 69:** Embrey discloses:

*Character string is comprised of numeric characters, non-numeric characters, or a combination of numeric characters and non-numeric characters. (Embrey, column 8, line 43-59).*

**Re claim 55 & 70:** Embrey discloses:

*The character string includes a portion of payor's name, address, zip code or defined character string (Embrey, Figure 7)*

**Re claim 56 & 71:** Embrey discloses:

*Receive zip code and locate payee on merchant database (Embrey, column 7)*

**Re claim 57 & 72:** Embrey discloses:

*Validating the consumer account number (Embrey, Figure 4, item 13)*

**Re claim 58 & 73:** Embrey discloses:

*Verifying account number includes necessary information (Embrey, Figure 4, item 13)*

**Re claim 59 & 74:** Embrey discloses:

*Verifying account number with identification template (Embrey, Figure 4, item 13)*

**Re claim 60 & 75:** Embrey discloses:

*Alteration rules is accosted with validation template (Embrey, Figure 4, item 13)*

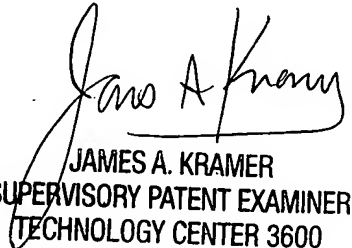
**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6126.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksa

 3/27/07  
JAMES A. KRAMER  
SUPERVISORY PATENT EXAMINER  
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